

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CYD MARIE BADON,

Plaintiff,

VS.

ALPHATEC SPINE A/K/A ALPHATEC
SUPPLY COMPANY,

Defendant.

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CASE NO. 1:11-CV-00586-RC-KFG

**ALPHATEC SPINE, INC.'S UNOPPOSED REQUEST FOR
MODIFICATION OF THE FEBRUARY 29, 2012 PROTECTIVE ORDER**

TO THE HONORABLE ZACK HAWTHORN, UNITED STATES MAGISTRATE JUDGE:

COMES NOW, Defendant, ALPHATEC SPINE, INC. ("Defendant"), in accordance with the Order Governing Proceedings and Directing Parties to Conduct Rule 26(f) Conference [Docket No. 7], Federal Rule of Civil Procedure 26(c), and the February 29, 2012 Protective Order, submits the following Unopposed Request for Modification of the February 29, 2012 Protective Order, as follows:

I.

Because Defendant contended that the disclosure of certain information or documents relevant to Plaintiff, CYD MARIE BADON's ("Plaintiff") allegations against it may be confidential and subject to the trade-secret privilege, it requested the entry of a protective order. On February 29, 2012, this Honorable Court granted Defendant's request and entered a Protective Order pursuant to Federal Rule of Civil Procedure 26(c), using the form found at the Eastern District's website.

Defendant hereby requests modification of the February 29, 2012 Protective Order with respect to the sharing of Protected Documents with expert witnesses, consulting expert witnesses, and investigators, so said Protected Documents can be disclosed to said expert witnesses, consulting expert witnesses, and investigators.

Counsel for Defendant conferred with counsel for Plaintiff prior to the filing of this request, and confirmed that Plaintiff is not opposed to the filing of the same.

II.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests that the Court modify the February 29, 2012 Protective Order, so that Protected Documents can be disclosed to the parties' expert witnesses, consulting expert witnesses, and investigators, and such other and further relief, at law or in equity, to which it is justly entitled.

Dated: May 15, 2012

Respectfully submitted,

By: /s/ Charles B. Holm

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CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that a true and correct copy of the foregoing document was forwarded to the following counsel-of-record on **Tuesday, May 15, 2012**, via CM/ECF; hand delivery; overnight courier; U.S. Mail; certified mail, return receipt requested; and/or facsimile, pursuant to the Federal Rules of Civil Procedure:

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/s/ Charles B. Holm
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